

### REMARKS

Claims 1-2, 4-5, and 13-15 stand rejected under 35 U.S.C. 102(b) as being anticipated by Applicant's Admitted Prior Art (AAPA). Applicant respectfully traverses the rejection because AAPA does not disclose magnetizing directions for the reproducing layer and recording layer are in a recording direction for initialization purposes, as now recited in amended independent claims 1, 4, 13, and 15.

AAPA shows in FIG. 1B the initial magnetization directions of the reproducing layer 204 in opposite directions at arrows 210 and 216. The recording layer 200 also shows magnetizing directions that are not in a recording direction 210. That is, the reproducing layer 204 and recording layer 200 are not initially magnetized in the recording direction 210, as now recited in the amended claims. Similarly, AAPA shows in FIG. 5B a recording layer 26 and a reproducing layer 30 that are not initially magnetized in the recording direction in the buffer area 20, sector address area 22, and gap area 24. Since none of the AAPA shows a reproducing layer and recording layer initially magnetized in a recording direction in the buffer, sector address, and gap areas, as now recited in the amended independent claims, withdrawal of the §102 rejection of claims 1-2, 4-5, and 13-15 is respectfully requested.

Claims 3 and 6 stand rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA and further in view of Hosakawa (U.S. Patent No. 6,570,826). Applicant traverses the rejection for the reasons recited above with respect to the §102 rejection of claims 1-2, 4-5, and 13-15, and because Hosokawa fails to overcome the deficiencies of AAPA. More specifically, Hosokawa fails to teach or suggest initial magnetizing

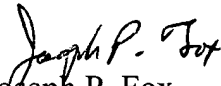
directions that are uniform in a recording direction for the reproducing layer and the recording layer in the buffer, sector address, and gap areas, which are sandwiched between successive data areas. Therefore, the combination of Hosokawa and AAPA also fails to teach or suggest this feature of the present invention. For this reasons, withdrawal of the §103 rejection of claims 3 and 6 is respectfully requested.

For all of the foregoing reasons, Applicant submits that this Application is in condition for allowance, which is respectfully requested. The Examiner is invited to contact the undersigned attorney if an interview would expedite prosecution.

Respectfully submitted,

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